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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

2177

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Rev. 10/95

U.S. Department of Commerce  
Patent and Trademark Office

Application Number

09/777,500

Filing Date

February 5, 2001

First Named Inventor

Nicolas W. Sincaglia et al.

Group Art Unit Number

2177

Examiner Name

Unassigned

Total Number of Pages in This Submission

9 \*

Attorney Docket Number

21685-06151

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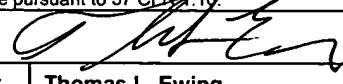
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<b>REMARKS:</b> * references not included in page count		

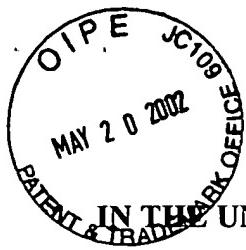
#### SIGNATURE OF ATTORNEY OR AGENT

Signature:	
Attorney/Reg. No.:	Thomas L. Ewing, Reg. No. 34/328
Dated:	May 14, 2002

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I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Nicolas W. Sincaglia et al.

APPLICATION NO.: 09/777,500.

FILING DATE: February 5, 2001

TITLE: SYSTEM FOR DISTRIBUTED MEDIA NETWORK AND META DATA SERVER

EXAMINER: Unassigned

GROUP ART UNIT: 2177

ATTY. DKT. NO.: 21685-06151

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Technology Center 2100

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Dated: May 14, 2002

By: 

Thomas L. Ewing, Reg. No. 34,328

BOX NON-FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC. 20231

INFORMATION DISCLOSURE STATEMENT  
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this

- Statement; or
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
- attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Applicant wishes to bring Examiner's attention the following co-pending applications:

- 1) U.S. Patent Application No. 09/733,698 entitled "Scheduled Retrieval, Storage and Access of Media Data," filed on December 8, 2000, which is assigned to a common assignee;
- 2) U.S. Patent Application No. 09/663,296 entitled "Dynamic Graphic User Interface," filed on September 15, 2000, which is assigned to a common assignee;
- 3) U.S. Patent Application No. 10/046,933 entitled "Delivering Media Data to Portable," filed on October 26, 2001, which is assigned to a common

- assignee;
- 4) U.S. Patent Application No. 09/505,486 entitled "Audio Synthesis Using Digital Sampling of Coded Waveforms," filed on February 16, 2000, which is assigned to a common assignee; and
  - 5) U.S. Patent Application No. 09/488,047 entitled "Digital Audio and Video Playback With Performance Complement Testing," filed January 20, 2000, which is assigned to a common assignee.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
NICOLAS W. SINAGLIA ET AL.

Dated: May 14, 2002

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